

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
007193-4

In Re Application Of: **Greg Collier**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/826,448	April 16, 2004	Not Yet Assigned	36,234	N/A	4190

Title: **DIFFERENTIALLY EXPRESSED GENES ASSOCIATED WITH OBESITY AND TYPE II DIABETES**



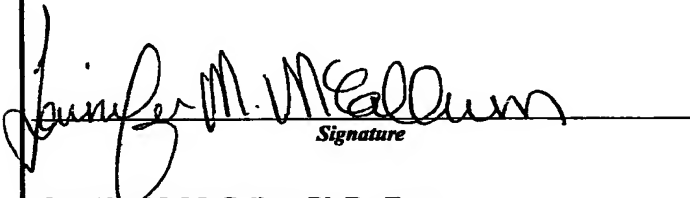
**COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

Copy of Notice to File Missing Parts (2 pages); Response to Notice to File Missing Parts (3 pages); Declaration and Power of Attorney (6 pages); Credit Card Payment Form PTO-2038 (1 page); Substitute Specification (80 pages); Statement in Response to Notice to File Missing Parts (1 page); Acknowledgement Postcard

in the above identified application.


- ☐ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **502679** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☒ CREDIT CARD PAYMENT FORM PTO-2038

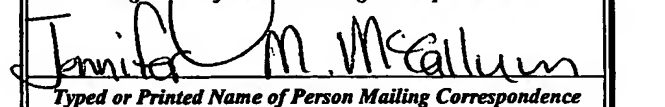
  
Signature

Dated: **July 16, 2004**

Jennifer M. McCallum Ph.D., Esq.  
The McCallum Law Firm, LLC.  
132 Kolar Ct.  
Erie, CO 80516  
tele: 303 828 0655  
fax: 303 828 2938  
Reg. No. 52,492 Cust. No. 36,234

I certify that this document and fee is being deposited **on July 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Signature of Person Mailing Correspondence

  
Typed or Printed Name of Person Mailing Correspondence

cc:

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
007193-4

In Re Application Of:

Greg Collier et al.

Application No. 10/826,448	Filing Date 04/16/2004	Examiner Not Yet Assigned	Customer No. 36,234	Group Art Unit N/A	Confirmation No. 4190
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Invention: ~~Differentially Expressed~~ Genes Associated with Obesity and Type 2 Diabetes



Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
06/18/2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Substitute Specification in compliance with 37 CFR 1.52(b) (80 pages);  
Credit Card Authorization Form PTO-2038 (1 page);  
Statement in Response to Notice to File Missing Parts (1 page);  
Transmittal Letter; and  
Acknowledgement Postcard

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
007193-4

In Re Application Of:

**Greg Collier et al.**

Application No. 10/826,448	Filing Date 04/16/2004	Examiner Not Yet Assigned	Customer No. 36,234	Group Art Unit N/A	Confirmation No. 4190
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Invention: **Differentially Expressed Genes Associated with Obesity and Type 2 Diabetes**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

<input type="checkbox"/> Utility application filing fee	_____
<input type="checkbox"/> Design application filing fee	_____
<input type="checkbox"/> Total number of independent claims = _____	_____
<input type="checkbox"/> Total number of claims = _____	_____
<input type="checkbox"/> Multiple dependent claims	_____
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	<b>\$130.00</b>
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	_____
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	_____
<input type="checkbox"/> Fee for processing and retention of application	_____

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due **130**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
007193-4

In Re Application Of:

Greg Collier et al.

Application No.  
10/826,448

Filing Date  
04/16/2004

Examiner  
Not Yet Assigned

Customer No.  
36,234

Group Art Unit  
N/A

Confirmation No.  
4190

Invention: **Differentially Expressed Genes Associated with Obesity and Type 2 Diabetes**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$130.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 502679
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 502679
- ☒ CREDIT CARD PAYMENT FORM PTO-2038

  
Signature

Jennifer M. McCallum Ph.D., Esq.

The McCallum Law Firm, LLC

132 Kolar Ct

Erie, CO 80516

tel: 303 828 0655

fax: 303 828 2938

Reg. No.: 52,492

Cust. No.: 36,234

Dated:

7.16.04

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Signature of Person Mailing Correspondence

  
Typed or Printed Name of Person Mailing Correspondence

cc:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Greg Collier		
Serial No.:	10/826,448	Group Art Unit:	N/A
Filed:	April 16, 2004	Examiner:	Not Yet Assigned
For:	DIFFERENTIALLY EXPRESSED GENES ASSOCIATED WITH OBESITY AND TYPE II DIABETES	Attorney Docket:	007193-4

MS Missing Parts  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

STATEMENT IN RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

This paper is being filed along with a substitute specification in response to a Notice to File Missing Parts. The original specification contained incorrect line spacing, which has now been corrected. No other changes have been made and no new matter has been entered into the substitute specification.

Respectfully Submitted,

7.16.04

Date

Jennifer M. McCallum

Jennifer M. McCallum, Ph.D., Esq.  
Registration No. 52,492  
The McCallum Law Firm, LLC.  
132 Kolar Court  
Erie, Colorado 80516  
Telephone: 303.828.0655  
Facsimile: 303.828.2938

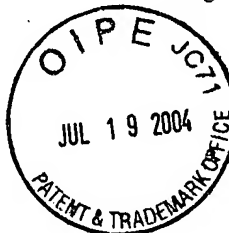


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/826,448	04/16/2004	Greg Collier	007193-4

The McCallum Law Firm, LLC.  
132 Kolar Ct.  
Erie, CO 80516



CONFIRMATION NO. 4190

## FORMALITIES LETTER



\*OC000000012991247\*

Date Mailed: 06/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

07/22/2004 CNGUYEN 00000004 10826448

01 FC:1051

130.00 0P

P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY